

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

PHO HANOI, INC.,

Defendant.

Case No. 4:22-cv-00913-YGR

**ORDER TO SHOW CAUSE RE:  
SUPPLEMENTAL JURISDICTION**

Re: Dkt. No. 24


TO PLAINTIFF AND PLAINTIFF'S COUNSEL OF RECORD:

Plaintiff has filed a notice that his claim for injunctive relief under the ADA has been rendered moot. (Dkt. No. 24.) Since injunctive relief is the only remedy available under the ADA, plaintiff's entire ADA claim is now moot and is dismissed.

All that remains in this case is plaintiff's Unruh Act claim. Courts decline to exercise supplemental jurisdiction over Unruh Act claims after the parallel ADA claim has been dismissed. Additionally, when a "high-frequency" litigant such as Johnson asserts an Unruh Act claim in federal court with an ADA claim, this constitutes an exceptional circumstance that justifies dismissal of the Unruh Act claim. *See Arroyo v. Rosas*, 19 F.4th 1202, 1211-14 (9th Cir. 2021); *Garcia v. Maciel*, No. 21-cv-03743-JC, 2022 WL 395316 (N.D. Cal. Feb. 9, 2022). Therefore, plaintiff is **HEREBY ORDERED** to respond in writing **within seven (7) days of this order**, how this case would further "the interest of judicial economy, convenience, fairness and comity" to justify the exercise of supplemental jurisdiction. *See Smith v. Lenches*, 263 F.3d 972, 977 (9th Cir. 2001). Failure to timely respond will result in the dismissal of plaintiff's Unruh Act claim, and by extension, this action.

**IT IS SO ORDERED.**

Dated: September 28, 2022

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE